

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (RCC)
) ECF Case
)

This document relates to:

ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 02-CV-6977;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-5738;
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-CV-05970;
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07279;
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978;
NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-6105;
SALVO, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 03-CV-5071;
TREMSKY, *et al.* v. OSAMA BIN LADEN, *et al.*, Case No. 02-CV-7300; and
WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07280.

**NOTICE OF SOLIMAN H.S. AL-BUTHE'S
CONSOLIDATED MOTION TO DISMISS**

PLEASE TAKE NOTICE that, pursuant to Rule 12(b), Fed. R. Civ. P., defendant Soliman H.S. Al-Buthe, by and through undersigned counsel, hereby makes a limited appearance for the purpose of moving the Court, before the Honorable Richard C. Casey, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order dismissing, pursuant to Rules 12(b)(2) and 12(b)(6), Fed. R. Civ. P., the personal injury plaintiffs' complaints in the following four cases, Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 02-CV-6977; Burnett, et al. v. Al Baraka Investment & Development Corp., et al.,

Case No. 03-CV-5738; Salvo, et al. v. Al Qaeda Islamic Army, et al., Case No. 03-CV-5071; and Tremsky, et al. v. Osama Bin Laden, et al., Case No. 02-CV-7300; the property damage plaintiffs' complaints in the following two cases, Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al., Case No. 04-CV-07279 and World Trade Center Properties LLC, et al. v. Al Baraka Investment and Development Corp., et al., Case No. 04-CV-07280; and the insurance subrogation plaintiffs' complaints in the following three cases, Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., Case No. 04-CV-05970; Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978; and New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105, on the basis of (1) lack of personal jurisdiction and (2) failure to state a claim upon which relief can be granted. A memorandum of law, with exhibits, in support of this Motion is attached hereto.

Respectfully submitted,

/s/ Lynne Bernabei

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DATED: May 9, 2005